

REMARKS

Claims 1-80 are pending, of which claims 52-75 and 78-80 have been previously withdrawn from consideration. Claims 52-75 and 78-80 have been canceled herein. Claim 6 has been objected. Claims 1-5, 7, 23, and 36 are rejected. Claims 1-5, 7, 23, and 36 have been canceled herein. Claims 8-22, 24-35, 37-51, 76, and 77 are allowed. Applicants respectfully request reconsideration of the pending claims.

Restriction/Election

Applicants previously elected Group I while withdrawing from consideration claims in 52-75 and 78-80. Applicants have herein canceled claims 52-75 and 78-80 without prejudice to pursuing the subject matter of such claims in a later filed divisional application.

Objections to the Claims

The Examiner has objected to Claim 6 for being dependent upon a rejected independent claim. Applicants have rewritten Claim 6 in independent format. Accordingly, Applicants respectfully request withdrawal of this rejection.

Claim Rejections under 35 U.S.C. §112, second paragraph

The Examiner has rejected claims 23 and 36 under 35 U.S.C. §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicants respectfully traverse this rejection for the following reasons.

Claim 23 and Claim 36 both recite the term "via" in the context of a noun. The Examiner has stated that "via" is not a noun. Applicants respectfully point out that a via that the Merriam-Webster's online unabridged dictionary, as of the day of this response, includes the usage of the term "a via" as a noun, for example, but not limited to, "a passage". Accordingly, Applicants respectfully request withdrawal of this rejection.

Claim Rejections under 35 U.S.C. §102

The Examiner has rejected claims 1-5, and 7 under Parce et al., US 6,149,870. Applicants respectfully traverse this rejection, however, in the interest of compact prosecution, have canceled claims 1-5, and 7, without prejudice towards pursuing the subject matter of those claims in a continuation application. Accordingly, the Examiner's rejection is now moot and Applicants respectfully request withdrawal of the rejection.

CONCLUSION

Applicants believe the claims are now in condition for allowance for the foregoing reasons and respectfully request a Notice of Allowance. Accordingly, Applicants respectfully request consideration of the claims on their merits. If, in the Examiner's opinion, a telephone conference may be helpful, Applicants' counsel may be contacted at the number below.

Presented with the highest regards
under 37 C.F.R. §1.34(a),



Gregory L. Heinkel
Reg. No. 44,755

Fluidigm Corporation
7100 Shoreline Court
So. San Francisco, CA, 94080
(650) 266-6036
(650) 871-9308

Please address all correspondence to:

Townsend and Townsend and Crew
Two Embarcadero Center
Eighth Floor
San Francisco, CA, 94111-3834